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8  
9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 DAVID HO, on behalf of himself and others  
13 similarly situated and on behalf of the  
general public and DOES 1-20

14 Plaintiff,

15 v.

16 ERNST & YOUNG LLP

17 Defendant.  
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Case No. CV 05-04867 JF

[Assigned for all purposes to the Honorable  
Jeremy Fogel, Department 3]

**DEFENDANT ERNST & YOUNG LLP'S  
OPPOSITION TO PLAINTIFF DAVID  
HO'S MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS**

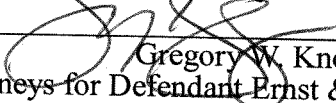
[SUPPORTING DECLARATION OF  
GREGORY W. KNOPP FILED  
CONCURRENTLY HERewith]

Hearing Date: May 8, 2007  
Hearing Time: 10:00 a.m.

1 Plaintiff's motion to compel the production of documents concerning immigration visas is  
2 moot. Without waiving its previously-asserted objections, and in exchange for Plaintiff's agreement to  
3 pay for the associated clerical and copying costs, Ernst & Young agreed to produce the relevant  
4 portions of all visa applications filed on behalf of putative class members during the alleged class  
5 period. Specifically, Ernst & Young will produce the portions of the application files that pertain to the  
6 job duties of the individuals at issue, with confidential personal information redacted. (The production  
7 will not include application materials that contain confidential personal information and have no  
8 bearing on this case, such as copies of passports, school transcripts, and wage statements from prior  
9 employers.) See Declaration of Gregory W. Knopp, ¶ 3. This production will fully satisfy the  
10 document requests at issue. Therefore, Plaintiff's motion should be denied.

11  
12 Dated: April 17, 2007

AKIN GUMP STRAUSS HAUSER & FELD LLP  
Catherine A. Conway  
Gregory W. Knopp  
S. Adam Spiewak

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16 By  \_\_\_\_\_  
17 Gregory W. Knopp  
Attorneys for Defendant Ernst & Young LLP  
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## PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 2029 Century Park East, Suite 2400, Los Angeles, California 90067. On April 17, 2007 I served the foregoing document(s) described as: **DEFENDANT ERNST & YOUNG LLP'S OPPOSITION TO PLAINTIFF DAVID HO'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS** on the interested party(ies) below, using the following means:

**All parties identified for Notice of Electronic Filing generated by the Court's CM/ECF system under the referenced case caption and number.**

☒ BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the respective e-mail address(es) of the party(ies) as stated above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on April 17, 2007 at Los Angeles, California.

Tracy Howe

[Print Name of Person Executing Proof]

[Signature]